

Docket No.: 20050/0200479-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Satoshi Mizutani et al.

Application No.: 10/706,303

Confirmation No.: 5755

Filed: November 10, 2003

Art Unit: 3761

For: INTERLABIAL PAD AND PACKAGE

Examiner: K. M. Reichle

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request a refund of the \$2,160 five-month extension of time fees erroneously charged to our Deposit Account No. 04-0100 on February 6, 2007 for the above-identified application.

On January 26, 2007, Applicants electronically filed a Response to Non-compliant Amendment (mailed December 26, 2006) in the U.S. Patent & Trademark Office. A copy of our Electronic Acknowledgement Receipt of January 26, 2006 is attached herewith as Exhibit A. Since the Response was filed within one month of the mailing date of the Notice of Non-Compliant Amendment, no fee was necessary.

Accordingly, Applicants respectfully request a refund of \$2,160.00. Please credit the refund to Deposit Account No. 04-0100 in the name DARBY & DARBY P.C.

Dated: April 10, 2007

Respectfully submitted,

By 

Louis J. DelJuidice

Registration No.: 47,552

DARBY & DARBY P.C.

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Attorneys/Agents For Applicant

Exhibit A

Electronic Acknowledgement Receipt

EFS ID:	1468905
Application Number:	10706303
International Application Number:	
Confirmation Number:	5755
Title of Invention:	Interlabial pad and package
First Named Inventor/Applicant Name:	Satoshi Mizutani
Customer Number:	7278
Filer:	Jay Philip Lessler/Lillian Garcia
Filer Authorized By:	Jay Philip Lessler
Attorney Docket Number:	20050/0200479-US0
Receipt Date:	26-JAN-2007
Filing Date:	10-NOV-2003
Time Stamp:	15:26:30
Application Type:	Utility

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
1		00982600.PDF	73831	yes	10

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Miscellaneous Incoming Letter	1	1
	Amendment - After Non-Final Rejection	2	2
	Specification	3	3
	Claims	4	8
	Applicant Arguments/Remarks Made in an Amendment	9	10

Warnings:

Information:

2	Specification	00982605.PDF	375322	no	41
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Warnings:

Information:

3	Specification	00982611.PDF	313385	no	41
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Warnings:

Information:

Total Files Size (In bytes):			762538		
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

AMENDMENT TRANSMITTAL LETTER			Docket No. 20050/0200479-USO
Application No. 10/706,303-Conf. #5755	Filing Date November 10, 2003	Examiner K. M. Reichle	Art Unit 3761

Applicant(s): Satoshi Mizutani et al.

Invention: INTERLABIAL PAD AND WRAPPING BODY (AS AMENDED)


TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	19	- 20 =	0	x 50.00	0.00
Independent Claims	2	- 3 =	0	x 200.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

- ☒ Large Entity ☐ Small Entity
- ☒ No additional fee is required for this amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 04-0100
as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.


Hiroyuki Yasuda
Attorney/Agent Reg. No.: 55,751

Dated: January 26, 2007

DARBY & DARBY P.C.
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New York, New York 10150-5257
(212) 527-7685

Express Mail Label No. _____ Dated: _____

Docket No.: 20050/0200479-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Satoshi Mizutani et al.

Application No.: 10/706,303

Confirmation No.: 5755

Filed: November 10, 2003

Art Unit: 3761

For: INTERLABIAL PAD AND WRAPPING BODY
(AS AMENDED)

Examiner: K. M. Reichle

RESPONSE TO NON-COMPLIANT AMENDMENT (37 CFR 1.121)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Notice of Non-Compliant Amendment (37 CFR 1.121) dated December 26, 2006, please amend the above-identified U.S. patent application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected on page 3 of this paper.

Remarks/Arguments begin on page 8 of this paper.

Application No. 10/706,303
Amendment dated January 26, 2007
Reply to Office Action of December 26, 2006

Docket No.: 20050/0200479-US0

AMENDMENTS TO THE SPECIFICATION

In response to the objection to the specification, clean and marked-up copies of a substitute specification are attached herewith. Applicants submit that no new matter is introduced.

Claim 23 (new): The interlabial pad according to claim 22, further comprising:
a first portion for bonding the opposite face to the face adapted to face the body; and
a second portion for bonding the mini-sheet to the opposite face,
wherein the first portion and the second portion are offset.

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 8, 10, 11, 15-17, 19 and 20 remain withdrawn for further consideration.

Claim 2 was previously canceled.

Claims 3-5 are canceled without prejudice or disclaimer of the subject matter therein.

Claims 21-23 are added without the introduction of new matter.

Claims 1, 6, 7 and 9 are amended without the introduction of new matter.

Claims 1 and 6-23 are pending.

In the Notice of Non-Compliant Amendment mailed December 26, 2006, the Examiner states that "claim 5 is redundant," and that "[c]laim 21 also appears to missing a word or words." In response, claim 5 is canceled, and new claim 21 now recites as noted above in this present response. Amendments to claims 1, 6, 7 and 9, and new claims 22 and 23 remain the same as indicated in the response filed on September 21, 2006.

II. Status of the Specification

In the Notice, the Examiner objects to the Specification because of informalities. In response, clean and marked-up copies of a substitute Specification are attached with the present response as noted above. The substitute Specification addresses the informalities to which the Examiner objected. Accordingly, Applicants respectfully request the withdrawal of the objection.

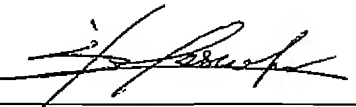
CONCLUSION

In view of the above amendments, Applicants believe the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

Dated: January 26, 2007

Respectfully submitted,

By 

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